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BOOK REVIEWS

MODERN DEMOCRACIES. By JAMES BRYCE (VISCOUNT BRYCE). New York: THE MACMILLAN COMPANY. 1921. 2 vols., pp. xiv, 508; vi, 676.

Of bodies politic Lord Bryce is a consummate anatomist. There will be many nevertheless who will regret that this study is not more diagnostic than it is; for it is published at a time when there is a more or less concerted attack upon the very foundations of democracy as we have understood it, at a time when "bold plans of social reconstruction" are being daily fulminated. Democracy certainly has both chronic and occasional ills, organic as well as inorganic derangements. Unquestionably Lord Bryce is competent in marked degree for the role of diagnostician, but he has deliberately elected to be anatomist. "What I desire is, not to impress upon my readers views of my own, but to supply them with facts, and (so far as I can) with explanations of facts on which they can reflect and from which they can draw their own conclusions." In thus restricting his purpose he admits that it has sometimes seemed to him that he was addressing himself to the last rather than to the present generation. So likewise will the book impress many readers. "Democracy really means nothing more nor less than the rule of the whole people expressing their sovereign will by their votes." So writes Lord Bryce. Our fathers would have accepted this as well-phrased axiom; the present generation pauses to question it; rightly or wrongly the next generation may flatly deny it. It is legalistic; is it factual? It is theoretically possible; does it eventuate in practice?

The materials for this study were collected upon journeys taken in the years immediately preceding the outbreak of the world war. It was evidently written during and since the war for there are many incidental references to conditions produced by the war. But in spirit and approach it is *ante-bellum*, and nobody recognizes this more frankly and fully than the author himself. As such it must be assessed. So assessed its valuation must be placed very high. It is transcendently informing; it is in high degree empirical; it is always interesting. Moreover, even conceding its overwhelmingly descriptive character it is none the less in the nature of a timely message and rebuke. For surely one of the least concerns of many of the burning reformers of the younger generation is their palpable ignorance of the kind of political facts with which this book supplies them. Innocent of adequate knowledge of anatomy, they do not hesitate to ply their trade of diagnosis. Consciously or unconsciously they are quacks at their profession.

The first one hundred sixty-five pages of this treatise are devoted to an historical and theoretical consideration of certain general topics in relation to democracy—the definition, evolution, and theoretical foundations of democracy, liberty, equality, education, religion, the press, party, local self-government, traditions, the people, public opinion. Then follows the second and principal part of the work under the general caption "Some Democracies in their Working." In this part, comprising about two-thirds of the whole, there is a chapter on the republics of antiquity and another on the republics of Spanish America; but extended attention running through many chapters is given to describing seriatim the structure and operation of the governments of France, Switzerland, Canada, the United States, Australia, and New Zealand—two old European, two new western, and two newer southern states.

It will be observed that, apart from the democracies that have sprung into

being out of the war, Great Britain is the one great democracy excluded. It is excluded because in Lord Bryce's judgment "no citizen of Britain, and certainly no citizen who has himself taken part in politics as a member, during forty years, of legislatures and cabinets, can expect to be credited with impartiality, however earnestly he may strive to be impartial." On the whole it is regrettable that this was his judgment. He would certainly have been credited with impartiality by all whose opinion is entitled to consideration. The great probability is that his description of British government and politics would have suffered, if at all, from a leaning backward in the matter of partiality. Great Britain should be here if only for completeness. Modern Democracies needs her—may, in a sort, lay just claim to her. Moreover Lord Bryce has so ably analyzed the governments and politics of other countries, and especially of the United States, that what he had to say of England would be peculiarly interesting and instructive. His splendid life work is almost unfinished without it.

There are final chapters, constituting nearly one-fourth of the entire work, on a number of general topics. Some of these are comparative studies based upon the specific and detailed studies that precede. Others deal with phenomena that bear upon the operation of democratic institutions in general. Still others contain the solid reflections of a ripe, experienced, and scholarly mind upon the present and future of democratic institutions. It is these latter chapters that hold the largest interest, if not the largest instruction, for the generation for whom Lord Bryce feared that he was not writing. Yet all that he has written they can read and ponder with profit.

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A TREATISE ON THE LAW OF MARRIAGE, DIVORCE, SEPARATION AND DOMESTIC RELATIONS. By JAMES SCHOULER. Sixth Edition. Edited by ARTHUR W. BLAKE-MORE. Albany: MATTHEW BENDER & Co. 3 vols., pp. xxx, 3038.

These volumes are an enlargement of Professor James Schouler's *Husband and Wife* (1882) and *Domestic Relations* (1st ed. 1870; 5th ed. 1895) by a writer of perseverance and industry. The editor states that conditions since the war have increased the urgent demand for a new book on family law. From this point of view the following quotations preserved by the editor from the work of 1882¹ are worth noting:

"Codes and the experience of nations in this respect show strange inconsistencies: laws at one time degrading to woman, and yet marital happiness; laws at another elevating her independence to the utmost, and yet marital infelicities, lust, and bestiality."

"These first inroads (on the old common law) are easily made; for what she demands is theoretically just. But just at this point the peril of female influence is developed. Woman rarely comprehends the violence of man's unbridled appetite, or perceives clearly that, after all, in the moral purity and sweetness of her own sex, such as excites man's devotion and makes home attractive, is the fundamental safeguard of life and her own most powerful lever in society, besides the surest means of keeping men themselves continent. She forgets, too, that, to protect that purity and maintain her moral elevation, a certain seclusion is needful; which seclusion is highly favorable to those domestic duties which nature assigns her as her own. More is granted woman. The bond of marriage being loosened, posterity degenerates, society goes headlong, and the flood-gates of licentiousness once fully opened, the hand must be strong that can close them again."

¹ Schouler, *Husband and Wife* §§ 4, 8.